

# 1GC | Family Law

## Jillian Hurworth

Year of Call: 1993



## Practice Overview

Jill specialises in children work, covering public law proceedings, international movement of children, and private law. She also undertakes Court of Protection cases.

Jill's public law work includes care proceedings, adoption, wardship and advisory work. She acts for parents and other extended family members, local authorities throughout the country, as well as the children themselves. She is very experienced in cases of serious injury to children and multi-expert proceedings. Jill is happy to act in and advise upon cases concerning special advocates, local authority support for children, placement of children outside the jurisdiction, designated authority issues, and foster carer adoption.

Jill appears regularly in the High Court in relation to international children cases, including abduction work (both Hague and non-Hague Convention cases, and abduction within the UK), placement of a child outside the jurisdiction, location orders and other Tipstaff orders.

Within her private law work Jill regularly conducts and advises all aspects of children law including: residence, special guardianship and contact applications; permission to remove a child from the jurisdiction; changing a child's name; and the full range of prohibited steps and specific issue orders.

She also works with Guardians in separate representation cases.

Having also formerly practised in criminal law Jill has expertise in issues such as disclosure to and from the police, CPS and criminal courts, Public Interest Immunity applications and linked care and criminal proceedings.

Jill is also happy to accept public access instructions.

## Children (Public Law)

### *E and N (No 2), Re* [2017] EWFC B27

Whether the court could rely upon the local authority's covert surveillance evidence about the mother - acting for the mother in care proceedings.

### *R (fact finding re-opened)* [2016] EWFC B14

Whether the court should re-open a fact-finding about 11 fractures to all 4 limbs of a baby. Jillian

acted for the father who, after the fact-finding was over, gave a different account as to how the injuries had been caused.

#### **G (A Child) [2014] EWCA Civ 1365**

Application to admit fresh evidence after care proceedings had been concluded in a non-accidental injury case including a subdural haemorrhage brain injury to child. The fresh evidence was a report by a well-known medical expert, which provided a contrary medical opinion, but who also happened to be appearing before her own disciplinary board for misconduct in another case.

#### ***The London Borough of Ealing v AR* [2014] EWHC 2172 (Fam)**

Brain injury to child - extensive subdural and retinal haemorrhages - experts concluding it was baby-shaking.

Jillian acted for the father in a complex case in which the parents changed their story part-way through the investigation, a complex factual matrix as both parents had not been honest from the start - use of cell-site data to identify whereabouts of key players. Jillian Successfully persuaded the court to accept the parents' versions and the Court identified the childminder as perpetrator.

#### **Buckinghamshire County Council v AB & Ors [2013] EWCC B22**

Jillian acted for the mother in care proceedings in which both the local authority and children's guardian opposed return of child to mother's care. Successfully persuaded the court after a fully contested final hearing that the child should be returned to mother.

### **Children (Private Law)**

#### **L (Children) [2012] EWCA Civ 1923 (Court of Appeal)**

Sexual abuse allegations against father, a doctor, whom mother claimed had overstepped his clinical examination of their own child to the point where it was sexual abuse. Father's position was that the mother had deliberately misinterpreted the children's initial "disclosures" and had recruited the children to make claims that she directed. Acting for the children, who were separately represented. Court of Appeal agreed with Jillian's submissions and refused mother's application for permission to appeal the findings of the court below.

### **Court of Protection**

### **Domestic Violence & Injunctions**

### **International Family Law**

#### **M v F & Ors (Rev 1) [2021] EWHC 585 (Fam) (High Court)**

Ambit of the Inherent Jurisdiction - Wards of Court - Jurisdiction of the English High Court. Acting for the children in this factually and legally complex 9-day fact-finding about whether the High Court could exercise jurisdiction over children currently living abroad, two of whom had left England some 9 years previously, and one of whom had never even been to England.

## Notable Cases

<https://www.bailii.org/ew/cases/EWFC/OJ/2023/301.html>

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*Shipton v Foulkes [2001] 3 FCR 306, [2001] EWCA Civ 324*

## Education

MA (Cantab), 1989

## Appointments

Advocacy Trainer, Inner Temple, 2005

Training sessions for expert witnesses 2009

Workshop for psychologists on giving evidence in court 2010

## Memberships & Associations

Family Law Bar Association (FLBA)

Honourable Society of Inner Temple

Personal

Skiing, shopping, socialising (competent); sailing, kitesurfing, golf (incompetent); hiking (past endeavours include the Great Wall of China, Machu Picchu, Norwegian glaciers to fjords); Cornwall; wine; modern jazz; gardens; modern British, American and Scandinavian fiction (Sara Lund's jumpers a specialist subject).